



Westlake 2012 Negotiations Slip Memorandum.docx

## **MEMORANDUM**

**SUBJECT:** Slip Memorandum for Termination of Negotiations West Lake Landfill Bridgeton, Missouri (MOD079900932)

FROM: Dan Gravatt, Remedial Project Manager Missouri/Kansas Remedial Branch

THRU: DeAndré Singletary, Chief Missouri/Kansas Remedial Branch

TO: Cecilia Tapia, Director Superfund Division

Termination of Negotiations for the new Consent Decrees for Operable Units 1 and 2 at the West Lake Landfill is currently scheduled for first quarter of FY2013. Negotiation of these two new CDs has been delayed for several reasons:

- 1) The Supplemental Feasibility Study (SFS) took significantly longer to complete than originally anticipated. It was completed in December 2011 and released to the public via the Internet on December 29.
- 2) Upon completion of the SFS, and after briefing the OSWER AA on the SFS analysis and the Region's recommended alternative in January 2012, HQ determined that the recommended alternative must go before the National Remedy Review Board as all three alternatives evaluated in the SFS now exceed the \$25M threshold triggering NRRB review. As the need for the NRRB briefing was not known last year, the time required to brief the NRRB and then respond to its comments was not included in scheduling the previous negotiation termination date.

MOKS CNSL CNSL MOKS SUPR Gravatt Asher Gonzales Singletary Tapia 03/ /12 03/ /12 03/ /12 03/ /12

- 3) Once the NRRB comments have been addressed, there are several additional steps which must be completed before negotiations on the two new CDs can resume, as follows:
- EPA will draft a new Proposed Plan describing the modification to the remedy. The

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administrative record will need to be amended to include the SFS documents.

- The new proposed plan will be released for public comment for 60 days, and a public meeting will be held.
- EPA will respond to comments on the proposed plan and sign the ROD amendment.

Based on our current best estimate of the schedule for the activities listed above, negotiations could conclude late in fiscal year 2013, after which the CDs would be sent to DOJ for lodging, public comment, and entry. However, there are numerous uncertainties in the schedule that could push this date even further into the future.

Due to these delays in resuming negotiation of the new CDs, and the remaining work anticipated to complete the negotiations, it is requested that the date for the Termination of Negotiations for OU1 and OU2 be rescheduled for first quarter FY2014. Subsequent OU1 and OU2 milestones will be moved out accordingly.

Concur:	Date:			
Non-Concur	Date:			

## **MEMORANDUM**

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West Lake Landfill

Bridgeton, Missouri (MOD079900932)

FROM: Dan Gravatt, Remedial Project Manager

Missouri/Kansas Remedial Branch

THRU: DeAndré Singletary, Chief

Missouri/Kansas Remedial Branch

TO: Cecilia Tapia, Director

**Superfund Division** 

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MOKS Gravatt		CNSL Asher		CNSL Gonzales		MOKS Singletary		SUPR Tapia	

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